

## Message Text

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42

ORIGIN L-03

INFO OCT-01 EUR-25 ADP-00 JUSE-00 SCA-01 RSC-01 PA-03

PRS-01 USIA-15 (ADP) R

DRAFTED BY L/M/SCA:KEMALMBORG:MA

8/8/73 EXT 22350

APPROVED BY L/M/SCA:KEMALMBORG

JUSTICE:MR. STEIN (INFO)

EUR/EE:MR. BRAINARD

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P 081719Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY WARSAW PRIORITY

UNCLAS STATE 156395

E.O. 11652, N/A

TAGS: PFOR, PL, US

SUBJECT: EXTRADITION - HERMINE BRAUNSTEINER-RYAN

REF: WARSAW 3835

1. REGRET VERY MUCH THAT UNCERTAINTIES ABOUT POSSIBLE LAST MINUTE LEGAL RECOURSE TO PREVENT OR DELAY EXTRADITION, AS WELL AS CUSTOMARY PUBLIC SILENCE ON PENDING EXTRADITION PREVENTED ADVANCE NOTICE TO GOP.

2. EMBASSY SHOULD INFORM GOP THAT MRS. RYAN'S EXTRADITION TO FRG HAS BEEN ACCOMPLISHED AND THAT WE ARE RETURNING POLISH EXTRADITION DOCUMENTS TO POLISH EMBASSY HERE. SHOULD THEY WISH TO PURSUE MATTER WITH FRG, POLISH AUTHORITIES SHOULD BE AWARE THAT UNDER ARTICLE V OF US-FRG EXTRADITION TREATY, FRG CANNOT RE-EXTRADITE HER FOR OFFENSE OTHER THAN THAT WHICH GAVE RISE TO HER EXTRADITION, UNLESS USG CONSENTS. THERE IS NO PROCEDURE UNDER US LAW FOR GRANTING CONSENT TO RE-EXTRADITION.

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3. PRESS GUIDANCE HERE IS AS FOLLOWS:

ON MARCH 16, THE FEDERAL REPUBLIC OF GERMANY REQUESTED THE EXTRADITION OF MRS. RYAN ON CHARGES OF MURDER AND PARTICIPATION IN MURDER DURING THE GERMAN OCCUPATION OF POLAND AT THE BEGINNING OF WORLD WAR II. ON MAY 7, 1973, DISTRICT JUDGE JACOB MISHLER OF THE DISTRICT COURT, EASTERN DISTRICT OF NEW YORK CERTIFIED MRS. RYAN TO THE SECRETARY OF STATE FOR EXTRADITION. MRS. RYAN REQUESTED REVIEW OF THE CANCELLATION OF HER AMERICAN CITIZENSHIP BUT THE COURT OF APPEALS AND THE SUPREME COURT HAVE BOTH REFUSED TO ISSUE STAYS OF THE EXTRADITION PROCEEDINGS. AS A RESULT ON JULY 30, 1973, THE SECRETARY OF STATE SIGNED A WARRANT FOR THE SURRENDER OF MRS. RYAN TO EXTRADITION AGENTS DESIGNATED BY THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY. MRS. RYAN WAS TAKEN INTO CUSTODY BY THESE AGENTS ON AUGUST 6, 1973, AND RETURNED TO GERMANY. ROGERS

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
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**Review Action:** RELEASED, APPROVED  
**Review Authority:** boyleja  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 10 SEP 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <10-Sep-2001 by reddocgw>; APPROVED <04 MAR 2002 by boyleja>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
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**TAGS:** PFOR, PL, US  
**To:** WARSAW  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005